

### **REMARKS**

In the final Office Action,<sup>1</sup> the Examiner rejected claims 1-19 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Publication No. 2003/0120599 to Agboatwalla ("Agboatwalla"). Applicant respectfully traverses the rejection presented in the Office Action.

By this amendment, Applicant amends claims 1, 4, 7, 10, and 16-18, cancels claims 5, 6, 11-15, and 19 without prejudice or disclaimer, and adds new claims 20-25. Claims 1-4, 7-10, 16-18, and 20-25 are pending.

#### **I. The Telephonic Interview of January 12, 2009**

Applicant would like to thank the Examiner for the telephone interview of January 12, 2009 with Applicant's representatives. Applicant's representative discussed the amendments to the claims presented herein, and the Examiner agreed with Applicant's assertions that the amended claims distinguish over the applied references. Further, the Examiner indicated that the rejection would be withdrawn upon receiving this response.

#### **II. The Rejection of Claims 1-19 Under 35 U.S.C. § 102(e)**

Applicant respectfully traverses the rejection of claims 1-19 under 35 U.S.C. § 102(e) as anticipated by Agboatwalla. Claims 5, 6, 11-15, and 19 have been canceled, rendering the rejection moot with respect to these claims.

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

To properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(e), each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Further, "[t]he identical invention must be shown in as complete detail as is contained in the...claim." See M.P.E.P. § 2131 (8th Ed., Aug. 2001), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Further, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131.

Claim 1, for example, recites a computer program product comprising instructions operable to cause a client apparatus to perform operations comprising "categorizing both the server-based rendering request and the client-based rendering request as redundant because both the server-based rendering request and the client-based rendering request identify subsets of the attributes of the first user interface element also identified by the additional rendering requests for the additional changes" (emphasis added). *Agboatwalla* does not teach or suggest at least this feature of claim 1.

*Agboatwalla* discloses a "method for generating a user-sharable network user interface" that allows a user to select and manage information available from several content sources (*Agboatwalla*, abstract). *Agboatwalla* also discloses marking the information from the content sources, and subsequently checking to see if the marked information has changed (*Agboatwalla*, ¶¶ 102-106). However, *Agboatwalla* does not disclose filtering rendering requests. Therefore, as agreed by the Examiner during the interview, *Agboatwalla* does not teach or suggest "categorizing both the server-based

rendering request and the client-based rendering request as redundant because both the server-based rendering request and the client-based rendering request identify subsets of the attributes of the first user interface element also identified by the additional rendering requests for the additional changes” as recited by independent claim 1 (emphasis added).

Accordingly, *Agboatwalla* cannot anticipate or render obvious independent claim 1. Independent claim 7, although of different scope than claim 1, recites elements similar to the elements recited by claim 1. Applicants therefore respectfully request the Examiner to withdraw the rejection of claims 1 and 7 under 35 U.S.C. § 102(b) as being anticipated by *Agboatwalla* and allow these claims.

Claims 2-4 and 16-18 depend from claim 1, and claims 8-10 depend from claim 7. Since *Agboatwalla* does not support the rejection of claims 1 and 7 under 35 U.S.C. § 102(e), *Agboatwalla* also does not support the rejection of dependent claims 2-4, 8-10, and 16-18 for at least the same reasons set forth above in connection with claims 1 and 7. Therefore, Applicants request that the rejection of claims 2-4, 8-10, and 16-18 under 35 U.S.C. § 102(e) be withdrawn and the claims allowed.

### **III. New Claims 20-25**

New independent claim 21 recites elements similar to the elements recited by claim 1, and is distinguishable from *Agboatwalla* for at least similar reasons. New dependent claim 20 is allowable over *Agboatwalla* at least due to its dependence from allowable claim 7, and new dependent claims 22-25 are allowable over *Agboatwalla* at least due to their dependence from allowable claim 21.

**IV. Conclusion**


In view of the foregoing remarks, Applicant submits that this claimed invention, is neither anticipated nor rendered obvious in view of the cited art. Applicant therefore requests the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

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By:   
Philip J. Hoffmann  
Reg. No. 46,340